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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,447	07/12/2001	Siamak Doroodian-Shoja	ADL-704-CN3 (22476-9)	3004
25181	7590	04/15/2004	EXAMINER	
FOLEY HOAG, LLP			DEXTER, CLARK F	
PATENT GROUP, WORLD TRADE CENTER WEST			ART UNIT	PAPER NUMBER
155 SEAPORT BLVD			3724	
BOSTON, MA 02110			DATE MAILED: 04/15/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/904,447	DOROODIAN-SHOJA, SIAMAK	
	Examiner	Art Unit	
	Clark F. Dexter	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 November 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 12-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. The response filed November 3, 2003 has been received. The indicated allowability of claims 12, 14 and 15 is withdrawn in view of the newly discovered reference(s) to Hitchens, pn 4,562,644. Rejections based on the newly cited reference(s) follow. Because the new grounds of rejection was not necessitated by applicant's amendment, this Office action is being made **non-final**.

Terminal Disclaimer

2. The terminal disclaimer filed on November 3, 2003 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 5,388,331 has been reviewed and is accepted. The terminal disclaimer has been recorded. It is noted that the submission of the proper terminal disclaimer *prima facie* placed the application in condition for allowance and thus no further response by applicant was necessary.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchens, pn 4,562,644 in view of Creasy et al., pn 4,875,287.

Hitchens discloses a razor or razor cartridge with almost every structural limitation of the claimed invention including a strip of material (e.g., 60) located on the head or frame (e.g., 11, 12, 13, 14, 15) in proximity to the shaving edge (e.g., 23, 33) of the blade (e.g., 21, 30), the strip of material having at least an upper layer (e.g., the substantially round cross-hatched portion as shown in Figure 4, and shown in a worn state in Figure 5) and a lower layer (e.g., 62). Hitchens lacks an explicit disclosure of the upper and lower layers having contrasting colors. However, there is also no disclosure that the upper and lower layers are the same color, and it is unlikely that the layers would be the same color. Further, it is clear, based on the operation of Hitchens, that a user recognizes when to rotate component 60 when the lower layer becomes visible as shown in Figure 5. Obviously, one having ordinary skill in the art would make the layers of contrasting colors so as to more easily determine when to rotate component 60. In addition, Creasy discloses one example of a strip and teaches that the strip can be provided in various colors to provide both a functional and decorative strip. Therefore, it would have been obvious to one having ordinary skill in the art to not make the layers the same color (and thus make them contrasting colors) for the various known benefits including providing a second layer that is clearly visible upon exposure thereof.

Regarding claim 13, Hitchens lacks the layers being constructed from the same material. However, the Examiner takes Official notice that it is old and well

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known in the art to make such structures using various types of configurations and using various types of material combinations including constructing such configurations from the same material and from different materials for various known benefits including considerations such as economies of manufacture, etc. Therefore, it would have been obvious to one having ordinary skill in the art to construct the layers from the same material for the well known benefits including that described above.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (703)308-1404. The examiner can normally be reached on Wednesdays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (703)308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Clark F. Dexter
Primary Examiner
Art Unit 3724**

cfd
April 8, 2004